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12 Attorneys for Plaintiff
MICHAEL D. ALMY

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 MICHAEL ALMY, JASON KNIGHT, and
16 ANTHONY LOVERDE,

17 Plaintiffs,

18 v.

19 UNITED STATES DEPARTMENT OF
20 DEFENSE; ROBERT M. GATES, Secretary
of Defense; DEPARTMENT OF THE AIR
21 FORCE; MICHAEL B. DONLEY, Secretary,
Department of the Air Force; DEPARTMENT
22 OF THE NAVY; and RAY MABUS,
Secretary, Department of the Navy,

23 Defendants.

Case No. cv 10-5627 (RS)

**STIPULATED JOINT
ADMINISTRATIVE MOTION AND
[PROPOSED] ORDER FOR STAY OF
CURRENT BRIEFING SCHEDULE
AND TO CREATE BRIEFING
SCHEDULE ON MOTION FOR
PROTECTIVE ORDER**

1 In accordance with Northern District of California Local Rules 6-2, 7-11 and 7-12
2 plaintiff Michael Almy and the Government Defendants, by and through their respective counsel,
3 file this stipulated joint administrative motion for a stay of the current briefing schedule and to
4 create a briefing schedule on a motion for a protective order.

5 On August 10, 2012, Defendants in this matter are scheduled to file their Opposition to
6 Plaintiff Almy's Motion for Summary Judgment and their own Motion to Dismiss, or in the
7 alternative, Motion for Summary Judgment. Defendants have indicated that they intend to attach
8 documents and quote from documents that Plaintiff believes should be filed under seal.
9 Defendants disagree with Plaintiff's assessment of the confidentiality of these materials and,
10 pursuant to Federal Regulation 29 CFR 50.9, believe that it is appropriate to file them on the
11 public record.

12 The parties have met and conferred on this issue and have reached the following
13 agreement, subject to the Court's approval:

- 14 • that the briefing schedule set out in ECF No. 77 be stayed pending resolution of a
15 protective order regarding the material at issue;
- 16 • that Plaintiff files a Motion for Protective Order no later than August 24, 2012,
17 which shall be noticed for October 4, 2012 at 1:30 p.m.;
- 18 • that Defendant files an Opposition to the Motion for Protective Order no later than
19 September 7, 2012;
- 20 • that Plaintiff files a Reply to the Motion for Protective Order no later than
21 September 14, 2012.

22 Due to the dispute over the nature of the materials, the briefing on the Protective Order
23 shall be filed under seal pending resolution by the Court. To the extent the Court deems the
24 material at issue not to be "sealable," the briefing regarding the Motion for Protective Order shall
25 become public five (5) business days after the Court's ruling on the Motion for Protective Order.

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Also, five (5) business days following the Court's ruling on the Motion for Protective Order, the briefing for Plaintiff's Motion for Summary Judgment and Defendant's Motion to Dismiss, or in the alternative, Motion for Summary Judgment shall resume pursuant to a revised briefing schedule ordered by the Court.

Dated: August 9, 2012

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By: /s/ M. Andrew Woodmansee
M. ANDREW WOODMANSEE

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MICHAEL ALMY

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/9/12


United States District Court Judge